

MINUTES OF REGULAR MEETING OF BOARD OF TRUSTEES OF THE VILLAGE OF QUOGUE, NEW YORK, HELD IN THE VILLAGE OFFICE BUILDING, NORTH MEETING ROOM, 7 VILLAGE LANE, QUOGUE, NEW YORK, ON FRIDAY, DECEMBER 18, 2009 AT 4:00 PM.

PRESENT: Mayor Peter Sartorius, Trustees Randy Cardo, Jeanette Obser and Kimberley Payne, Village Attorney Richard E. DePetris and Village Clerk Marcia Rose Koziarz.

OTHERS PRESENT: Edward Necarsulmer III, Police Chief Robert Coughlan, Fire Chief Christopher Osborne, Building Inspector Edward Wolfersdorf, Bruce Davidson, Dick Gardner, Frances Ryan, Katherine Peiffer, Ambrose A Carr, Jr., Barbara Sartorius, Terry Necarsulmer, Paul Mejean, Bill Berrien and Will James of the Southampton Press.

The Mayor invited everyone to join him in the Pledge of Allegiance.

Mayor Peter Sartorius appointed and swore in newly appointed Mr. Necarsulmer III, to fill the open position of Village Trustee, for the balance of the 2010 official year.

Upon motion made by Randy Cardo, seconded by Kimberley Payne and unanimously carried, it was  
RESOLVED, the minutes of Regular Meeting held on November 20, 2009, are hereby approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was  
RESOLVED, the ratification of the slate of Fire Department Officers for 2010-2011, elected on December 7, 2009, is hereby approved, as follows:

Chief: Christopher Osborne  
1<sup>st</sup> Assistant: Timothy Shea  
2<sup>nd</sup> Assistant: Ted Yates  
3<sup>rd</sup> Assistant: Bruce Davidson  
Capt. Co. #1: Joseph Caldara  
Lt. Co. #1: Michael McMahon  
Capt. Co. #2: John Sipala  
Lt. Co. #2: Bob Barravecchia

Upon motion made by Kimberley Payne, seconded Randy Cardo and unanimously carried, the Abstract of Audited Vouchers Schedule 12-09, \$173,141.82 and Treasurer's Report for the Month ending November 30, 2009 are hereby approved as follows:

\$ 52,480.97 Checking Account  
\$6,610,756.99 Investments  
\$6,663,237.96 Total General Fund 11/30/09

The Clerk gave the report for November 2009 False Fire and Burglar Alarms as follows:  
Burglar Billed: \$350.00; Burglar Collected: \$250.00  
Fire Billed: \$0; Fire Collected: \$0

Fire Chief Christopher Osborne gave the report for the Fire Department. Building Inspector Edward Wolfersdorf gave the report for the Building Department and Police Chief Robert Coughlan gave the report for the Police Department.

Upon motion made by Jeanette Obser, seconded by Randy Cardo and unanimously carried, it was

RESOLVED, a settlement in the amount of \$52,500.00 regarding Incorporated Village of Quogue v. APA Partners, Inc. (Index No. 07/06340) is hereby approved and the Mayor is authorized to execute a settlement agreement, as recommended by Vincent R. Fontana of the law firm Fontana & Broderick, LLP.

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was,

RESOLVED, an increase to A3120.150 (Police-Overtime) for a check received from the Suffolk County Sheriff's office in the amount of \$5,810.67 for Marine Law Enforcement Grant is hereby approved.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was

RESOLVED, the Village of Quogue Procurement Policy is hereby approved to be amended to increase the formal sealed bids in conformance with municipal Law, Section 103, from \$20,000 and up to \$35,000 and up for awarding public works projects/contracts as per New York Law (see copy attached).

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was

RESOLVED, an increase Purchase Order #12431 (Speonk Lumber Corp) in the amount of \$455.00 for additional materials required for the completion of the replacement of stairway railings is hereby approved.

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was

RESOLVED, a transfer in the amount of \$445.00 from A3120.13 Police Part-Time Services to A3120.443 Police-Improvements/Maintenance Building for cleaning services previously performed by Charlotte Lander through payroll, now performed by Capital Contracting, Inc. and paid by voucher is hereby approved.

Upon motion made by Randy Cardo, seconded by Jeanette Obser and unanimously carried, it was

RESOLVED, payments to Guillo Contracting Corp. in the amounts of \$9,812.50 on 11/17/09 for 575 tons of sand and 16 hours of site-work with equipment and \$6,390.00 for miscellaneous site-work with equipment performed from 12/02-04/09 and \$41,162.50 for 225 tons of sand and 590 tons of boulders/rocks delivered funded from A8745.400 Flood & Erosion Control/Contractual is hereby approved. Possibly funded through State and Federal agencies.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was

RESOLVED, payment to Port Lumber for 4 rolls of 12'X300' carthage fabric in the amount of \$4,320.00 funded from A8745.490 Flood & Erosion Control/Misc Supply is hereby approved. Possibly funded through State and Federal agencies

Upon motion made by Jeanette Obser, seconded by Ted Necarsulmer and unanimously carried, it was

RESOLVED, payment to Sea Level Mapping in the amounts of \$2,975.00 for Topographic Shoreline Mapping with Cross Sections and \$500.00 for Calculation of average end area volumes funded from A8745.400 Flood & Erosion Control/Contractual is hereby approved. Possibly funded through State and Federal agencies.

Upon motion made by Randy Cardo, seconded by Kimberley Payne and unanimously carried, it was

RESOLVED, payment in the amount of \$950.00 to Land Use Ecological Services, Inc. for NYSDEC Article 25 permit processing and \$2,000.00 for an Emergency Permit Modification for Geotube/Sand/Rock Installation at the Village beach funded from A8745.400 Flood & Erosion Control/Contractual is hereby approved. Possibly funded through State and Federal agencies.

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was

RESOLVED, the purchase and installation of Geotubes at the Quogue Village Beach funded through A8745.400 is hereby approved. Possibly funded through State and Federal agencies.

Upon motion made by Jeanette Obser, seconded by Kimberley Payne and unanimously carried, it was

RESOLVED, a Small Claims Assessment Review Award (SCAR) in the amount of \$2,108.05 to Tonny K. Ho for a reduction to the 2008/09 and 2009/10 Village assessment for property located at 35 Meadow Lane, TM# 11-1-7 is hereby approved..

Upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, it was,

RESOLVED, minutes of bid opening held on December 18<sup>th</sup> at 3:00 PM for #2 Fuel Oil delivered for the period of January 1, 2010 through December 31, 2010 are hereby approved (see minutes attached).

Upon motion made by Ted Necarlsumer, seconded by Kimberley Payne and unanimously carried, it was

RESOLVED, the use of the Quogue Village Hall on June 19 and September 11, 2010 for Quogue Chamber Music Concerts is hereby approved.

Upon motion made by Ted Necarsulmer, seconded by Kimberley Payne and unanimously carried, it was

RESOLVED, the Mayor is hereby authorized to execute and deliver a contract with The Save The Beaches and Dunes Foundation and First Coastal Corporation providing for the following items and related matters:

1. Authorization for First Coastal Corporation to seek, on behalf of the Village, State and Federal permits necessary to allow beach re-nourishment in the Village,
2. Save The Beaches and Dunes Foundation to pay or reimburse the Village for all fees and costs related to such activity, and
3. First Coastal Corporation to look solely to funds provided by Save The Beaches and Dunes Foundation for payment of its fees and expenses.

Upon motion mde by Kimberley Payne, seconded by Jeanette Obser and unanimously carried, it was

RESOLVED, agreement with Alan Lazarescu as Village Prosecuting Attorney is hereby approved (see copy attached).

Upon motion made by Kimberley Payne, seconded by Ted Necarsulmer and unanimously carried, it was

RESOLVED, payment in the amount of \$2,000.00 made payable to Kneski & Sons, Inc. for Village Hall handicap ramp and west driveway funded through A5110.446 is hereby approved.

The Board discussed the latest proposal from T-Mobile. Information is being awaited from T-Mobile to date.

The Board discussed the status of the Weathervane project. The Mayor has met with Steve Latham, attorney for Mr. & Mrs. Adler who are neighbors of the proposed site. A future meeting with Mr. Lettieri is set for December 22<sup>nd</sup>. A public hearing will be held for special exception use approval at a later date.

The Board discussed the proposed Hess Station. The Shell Station has closed due to regulations imposed by Suffolk County for all stations to have double pumps by January 1st (recently extended to May 1, 2010) The current tanks will be removed by the current owner. SCDPW approval for the Hess Station is pending and there have been discussions between Hess and SCDPW. There is no start date as yet but the application is moving in a satisfactory direction.

Chris Osborne announced that 350<sup>th</sup> Anniversary posters are available at the Village Office for \$10.00 each.

The Board discussed the erosion at the Village Beach. The Army Corps of Engineers are currently dredging at Shinnecock Inlet and have been asked to stockpile sand so it would be available to the Town of Southampton and the Village.

With no further business to discuss and upon motion made by Kimberley Payne, seconded by Randy Cardo and unanimously carried, the meeting was adjourned at 5:47 P.M.

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Marcia Rose Koziarz  
Village Clerk